BEFORE THE VETERINARY MEDICAL BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

Case No. IA 2014 31

JESSICA MARIE SALGADO

Registered Veterinary Technician License

Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Veterinary Medical Board, Department of Consumer Affairs, as its Decision in this matter,

This Decision shall become effective on

It is so ORDERED

DEPARTMENT OF CONSUMER AFFAIRS

1	Kamala D. Harris	
2	Attorney General of California THOMAS RINALDI	
3	Supervising Deputy Attorney General HEATHER VO	•
4	Deputy Attorney General State Bar No. 223418	
5	300 So. Spring Street, Suite 1702 Los Angeles, CA 90013	•
6	Telephone: (213) 897-2574 Facsimile: (213) 897-2804	·
7	Attorneys for Complainant	
8	BEFORE THE VETERINARY MEDICAL BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
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11	In the Matter of the Statement of Issues	Case No. IA 2014 31
12	Against:	STIPULATED SETTLEMENT AND
13	JESSICA MARIE SALGADO	DISCIPLINARY ORDER
14	Registered Veterinary Technician License	
15	Respondent.	
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17	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-	
18	entitled proceedings that the following matters are true:	
19	PARTIES	
20	1. Annemarie Del Mugnaio ("Complainant") is the Executive Officer of the Veterinary	
21	Medical Board, Department of Consumer Affairs. She brought this action solely in her official	
22	capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of	
23	California, by Heather Vo, Deputy Attorney General.	
24	2. Respondent Jessica Marie Salgado ("Respondent") is representing herself in this	
25	proceeding and has chosen not to exercise her rig	tht to be represented by counsel.
26	3. On or about October 10, 2013, Respondent filed an application dated October 1,	
27	2013, with the Veterinary Medical Board to obtain a Registered Veterinary Technician License.	
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JURISDICTION

- 4. Statement of Issues No. IA 2014 31 was filed before the Veterinary Medical Board (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Statement of Issues and all other statutorily required documents were properly served on Respondent on December 23, 2014.
- 5. A copy of Statement of Issues No. IA 2014 31 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- 6. Respondent has carefully read, and understands the charges and allegations in Statement of Issues No. IA 2014 31. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.
- 7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 9. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. IA 2014 31.
- 10. Respondent agrees that her Registered Veterinary Technician License is subject to denial and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

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CONTINGENCY

- This stipulation shall be subject to approval by the Veterinary Medical Board. Respondent understands and agrees that counsel for Complainant and the staff of the Veterinary Medical Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.
- This Stipulated Settlement and Disciplinary Order is intended by the parties to be an 13. integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.
- In consideration of the foregoing admissions and stipulations, the parties agree that 14. the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that a Registered Veterinary Technician License will be issued to Respondent Jessica Marie Salgado and will be immediately revoked. The revocation will be stayed and the Respondent placed on three (3) years probation on the following terms and conditions.

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1. Obey All Laws.

Respondent shall obey all federal and state laws and regulations substantially related to the practice of veterinary medicine. Further, within thirty (30) days of any arrest or conviction.

Respondent shall report to the Board and provide proof of compliance with the terms and conditions of the court order including, but not limited to, probation and restitution requirements.

2. Quarterly Reports and Interviews

Respondent shall report quarterly to the Board or its designee, under penalty of perjury, on forms provided by the Board, stating whether there has been compliance with all terms and conditions of probation. In addition, the Board at its discretion may request additional in-person reports of the probationary terms and conditions. If the final written quarterly report is not made as directed, the period of probation shall be extended until such time as the final report is received by the Board. Respondent shall make available all patient records, hospital records, books, logs, and other documents to the Board, upon request.

3. Cooperation with Probation Surveillance

Respondent shall comply with the Board's probation surveillance program. All costs for probation monitoring and/or mandatory premises inspections shall be borne by Respondent. Probation monitoring costs are set at a rate of \$100 per month for the duration of the probation. Respondent shall notify the Board of any change of name or address or address of record within thirty (30) days of the change. Respondent shall notify the Board immediately in writing if Respondent leaves California to reside or practice in another state. Respondent shall notify the Board immediately upon return to California.

4. No Preceptorships or Supervision of Interns

Respondent shall not supervise a registered intern and shall not perform any of the duties of a preceptor.

5. Notice to Employers

Respondent shall notify all present and prospective employers of the decision in this case and the terms, conditions, and restrictions imposed on Respondent by the decision in this case. Within thirty (30) days of the effective date of this decision and within fifteen (15) days of

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Respondent undertaking new employment, Respondent shall cause her employer to report to the Board in writing, acknowledging the employer has read the Accusation and decision in this case and understands Respondent's terms and conditions of probation. Relief veterinarians shall notify employers immediately.

6. Notice to Employees

Respondent shall, upon or before the effective date of this decision, post or circulate a notice which actually recites the offenses for which Respondent has been disciplined and the terms and conditions of probation, to all registered veterinary employees, and to any preceptor, intern or extern involved in her veterinary practice. Within fifteen (15) days of the effective date of this decision, Respondent shall cause her employees to report to the Board in writing, acknowledging the employees have read the Accusation and decision in the case and understand Respondent's terms and conditions of probation.

7. Owners and Officers (Corporations or Partnerships): Knowledge of the Law

Respondent shall provide, within thirty (30) days after the effective date of the decision, signed and dated statements from the owners, officers, or any owner or holder of ten percent (10%) or more of the interest in Respondent or Respondent's stock, stating said individuals have read and are familiar with federal and state laws and regulations governing the practice of veterinary medicine.

8. Tolling of Probation

If Respondent resides out of state upon or after effective date of the decision, she must comply with the following conditions only: quarterly reports and interviews, tolling of probation, continuing education and cost recovery. If Respondent returns to California she must comply or be subject to all probationary conditions for the period of probation.

Respondent, during probation, shall engage in the practice of veterinary medicine in California for a minimum of twenty-four (24) hours per week for six (6) consecutive months or as determined by the Board. Should Respondent fail to engage in the practice of veterinary medicine in California as set forth above, the time outside of the practice shall not apply to reduction of the probationary terms.

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9. Violation of Probation

If Respondent violates probation in any respect, the Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is filed against Respondent during probation, or if the Attorney General's office has been requested to prepare any disciplinary action against Respondent's license, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

10. Completion of Probation

All costs for probation monitoring and/or mandatory premises inspections shall be borne by Respondent. Failure to pay all costs due shall result in an extension of probation until the matter is resolved and costs paid. Upon successful completion of probation and all payment of all fees due, Respondent's license will be fully restored.

11. Limitation on Practice/Inspections

During probation, Respondent is prohibited from the following:

Practicing veterinary medicine from a location or mobile veterinary practice which does not have a current premises permit issued by the Board.

12. No Ownership

Respondent shall not have any legal or beneficial interest in any business, firm, partnership, or corporation currently or hereinafter licensed or registered by the Board and shall not own any veterinary hospital.

13. No Management or Administration

Respondent shall not manage or be the administrator of any veterinary hospital.

14. Submit to Drug Testing

Respondent shall immediately submit to drug testing, at Respondent's cost, upon request by the Board or its designee. There will be no confidentiality in test results; positive test results will be immediately reported to the Board and to Respondent's current employer.

15. Abstain from Controlled Substances

Respondent shall completely abstain from the personal use or possession of controlled

1	substances, as defined in the California Uniform Controlled Substances Act, and dangerous drug		
2	as defined in Section 4211 of the Business and Professions Code, except when lawfully		
3	prescribed by a licensed practitioner for a bona fide illness. Respondent shall submit to random		
4	drug testing during the period of probation.		
5	16. Abstention from Alcohol Use		
6	Respondent shall abstain completely from the use of alcoholic beverages.		
7	ACCEPTANCE		
. 8	I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the		
9	stipulation and the effect it will have on my Registered Veterinary Technician License. I enter		
10	into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently,		
11	and agree to be bound by the Decision and Order of the Veterinary Medical Board.		
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14	DATED: Signature page attached		
15	JESSICA MARIE SALGADO Respondent		
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17	ENDORSEMENT		
18	The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully		
19	submitted for consideration by the Veterinary Medical Board.		
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21	Dated: Respectfully submitted,		
22	KAMALA D. HARRIS Attorney General of California		
23	, THOMAS RINALDI Supervising Deputy Attorney General		
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25	Heather Vo		
26	Deputy Attorney General Attorneys for Complainant		
27	Thorneys for Complantari		
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